

FILED

NOV 26 2018

*Clerk, U.S. Courts
District Of Montana
Missoula Division*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MATT BARKER, TERRIL
BERNHARDT, DWAYNE
BINKLEY, MARK BOESCH,
MIKE CONRAD, RANDALL
DOANE, KEN DURIE, DAMIAN
EDWARDS, MIKE ELLEN,
DANIEL ENDECOTT, RYAN
EWER, CHUCK FYFE, MIKE
GATES, JASON GORDON, RICK
HAJEK, DAVIS B. HARRIS,
THOMAS HARTZELL, RANDY
HILL, TRAVIS HILL, GRAHAM
HYDE, TYLER JARVIS, GERALD
JELLETICH, PAUL KENNY,
ROBERT MATTIJETZ, JEFF
MCCHRISTIAN, CHRIS
MCPEHRSON, LESTER
MEINZEN, ERIN MESSEX,
MARK MILLER, BRUCE
MILLER, ISAAC MILSTEAD,
DAVID NORDMAN, RANDY
PHILLIPS, DENNIS K. RAMEY,
GREGORY RAUER, MILES
RAUER, MICHAEL RYKER,
ALLEN SCHMIDT, BRETT
SHARBONO, ROB SIMS,
WILLIAM "BERT" SMEAD,
MARVIN SNEDIGAR, JONI
SOLANDER, JASON SPEK,
ROGER STEVENS, KI
STODDARD, RICHARD WAYNE
SUMMERS, STEVE TENOLD,
KENNETH TICHENOR, ZACH
TITECA, DAN WALDO, DON

CV 18-179-M-DLC

ORDER

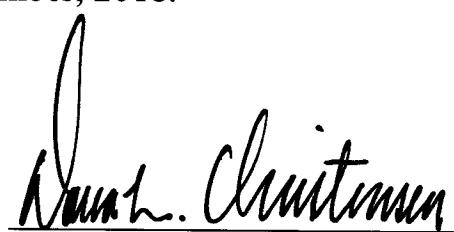
<p>WHITEHAIR AND PATRICK WURSTER</p>	
<p>Petitioners,</p>	
<p>v.</p>	
<p>SELWAY CORPORATION and the SELWAY CORPORATION EMPLOYEE STOCK OWNERSHIP PLAN,</p>	
<p>Respondents.</p>	

Before the Court is the Uncontested Motion to Intervene (Doc. 8) filed by proposed intervenor Max M. Downing (“Downing”). Downing seeks to intervene pursuant to Federal Rule of Civil Procedure 24(a), “as of right.” The Court finds that Downing may intervene as of right because his motion is timely, he has a significantly protectable interest relating to the transaction that is the subject of the action, the disposition may impair or impede his ability to protect that interest, and his interest is not adequately represented by the existing parties in the lawsuit.

DBSI/TRJ IV Ltd. Partnership v. United States, 465 F.3d 1031, 1037 (9th Cir. 2006). Accordingly,

IT IS ORDERED that Downing’s Motion (Doc. 8) is GRANTED and he is hereby granted leave to intervene as Respondent-Intervenor in this matter pursuant to Rule 24(a).

DATED this 26th day of November, 2018.



Dana L. Christensen
Dana L. Christensen, Chief Judge
United States District Court